

**MORRISON & FOERSTER LLP**

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**From: Madeline I. Johnston**

**Date: September 12, 2002**

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**Comments: ATTORNEY DOCKET: 509942000100**

**SERIAL NO.: 09/834,728**

**FILING DATE: April 12, 2001**

**INVENTOR(S): Chaim M. ROIFMAN, et al.**

**TITLE: NOVEL COMPOUNDS FOR MODULATING CELL PROLIFERATION**

Papers enclosed herewith:

1. Copy of Petition for Revival of Application and associated papers as filed 2/26/2002, including copy of stamped return postcard received from PTO (34 Pages)

PTO/SB/21 (08-00)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number	09/834,728
Filing Date	April 12, 2001
First Named Inventor	Chaim Mendel ROIFMAN
Group Art Unit	1614
Examiner Name	To Be Assigned
Attorney Docket No.	509942000100

**COPY**

Total Number Of Pages In This Submission

32

**ENCLOSURES (check all that apply)**☒ Fee Transmittal Form + copy (2 Pgs.)☐ Fee Attached☐ Amendment / Reply☐ After Final☐ Affidavits/declarations☐ Extension of Time Request☐ Express Abandonment Request☐ Information Disclosure Statement☐ Certified Copy of Priority Document(s)☐ Response to Missing Parts/  
Incomplete Application☐ Response to Missing Parts  
under 37 CFR 1.52 or 1.53☐ Assignment Papers  
(for an Application)☒ Drawing(s) - 25 Sheets☐ Licensing-related Papers☒ Petition for Revival of an Application  
(3 Pages)☐ Petition to Convert to a  
Provisional Application☐ Power of Attorney, Revocation  
Change of Correspondence Address☐ Terminal Disclaimer☐ Request for Refund☐ CD, Number of CD(s) \_\_\_\_\_☐ After Allowance Communication to  
Group☐ Appeal Communication to Board of  
Appeals and Interferences☐ Appeal Communication to Group  
(Appeal Notice, Brief, Reply Brief)☐ Proprietary Information☐ Status Letter☒ Other Enclosure(s) (please identify  
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**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

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Morrison &amp; Foerster LLP, 755 Page Mill Road, Palo Alto, California 94303

or

Individual Name

Madeline I. Johnston (Registration No. 36,174)

Signature



Date

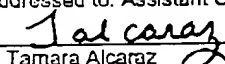
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PTO/SB/17 (09-00)

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# FEE TRANSMITTAL FOR FY 2002

Patent fees are subject to annual revision.

## Complete If Known

Application Number 09/834,728

Filing Date April 12, 2001

First Named Inventor Chaim Mendel ROIFMAN

Examiner Name To Be Assigned

Group Art Unit 1614

Attorney Docket No. 509942000100

TOTAL AMOUNT OF PAYMENT

(\$ 1,280.00)

## METHOD OF PAYMENT

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Morrison &amp; Foerster LLP

- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

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## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$ 0)

## 2. EXTRA CLAIM FEES

Total Claims	51	-51** =	0	x	18	=	\$ 0
Independent Claims	4	-4** =	0	x	84	=	\$ 0

Multiple Dependent = \$ 0

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	64	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claims, if not paid
109	84	209	42	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0)

\*\* or number previously paid, if greater; For reissues, see above.

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or osth	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for ex parte reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to Institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	1,280
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions of the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per properties (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
199	900	199	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 1,280.00)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Madeline I. Johnston

Registration No.  
(Attorney/Agent)

36,174

Telephone

(650) 813-5840

Signature

Madeline I. Johnston

Date

February 26, 2002

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# FEE TRANSMITTAL FOR FY 2002 DUPLICATE COPY FOR FEE PROCESSING

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 1,280.00

## Complete If Known

Application Number 09/834,728

Filing Date April 12, 2001

First Named Inventor Chaim Mendel ROIFMAN

Examiner Name To Be Assigned

Group Art Unit 1614

Attorney Docket No. 600042000100

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## METHOD OF PAYMENT

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- ☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

- ☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

- ☐ Check ☐ Credit Card ☐ Money Order ☐ Other

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SUBTOTAL (1) (\$) 0

### 2. EXTRA CLAIM FEES

Total Claims	51	-51	=	Extra Claims	0	x	Fee from Below	18	=	Fee Paid	\$ 0
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Multiple Dependent											= \$ 0

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109	04	209	42	--Reissue independent claims over original patent	
110	10	210	0	--Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) 0

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## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
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160	600	160	300	Request for expedited examination of a design application	

Other fee (specify)

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SUBTOTAL (3) (\$) 1,280.00

## SUBMITTED BY

Name (Print/Type) Madeline I. Johnston

Registration No. (Attorney/Agent) 36,174

Complete (if applicable)

Telephone (650) 813-5840

Signature

Madeline I. Johnston

Date February 26, 2002

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-- 667199

## Nature of abandonment:

- ☒ A Response to Missing Parts was mailed to the PTO on November 30, 2001. A Notice of Incomplete Reply dated January 28, 2002 was received from the PTO. However, the time for reply to the Missing Parts has lapsed as of December 30, 2001 and the application is now considered abandoned.

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This application became abandoned because the failure to prosecute was an unintentional delay.

## A proposed response:

- ☐ was filed on \*.
- ☒ is attached.
- ☒ Verified showings from the relevant parties as to the causes of the unintentional delays are described below.

Applicant made a sincere effort to respond to the Notice to File Missing Parts in the Response to Missing Parts filed November 30, 2001. Substitute drawings were inadvertently omitted from the Response filing. The processing procedures have been carefully reviewed and steps have been taken to avoid repetition of the events that took place in this case so that a similar error will not be made in the future.

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

- ☐ A verified small entity statement was previously filed in this application \*[or is filed herewith.]
- ☐ A check in the amount of \$\* is attached.
- ☒ Charge \$1,280.00 to Deposit Account No. 03-1952.

The Assistant Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §§ 1.16 and 1.17 that may be required by this petition, or to credit any overpayment, to Deposit Account No. 03-1952. ~~A duplicate copy of this petition is enclosed for that purpose.~~ A Fee Transmittal form (Form PTO-1390) is attached to this submission in duplicate.


- ☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

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Respectfully submitted,

Dated: February 26, 2002

By:



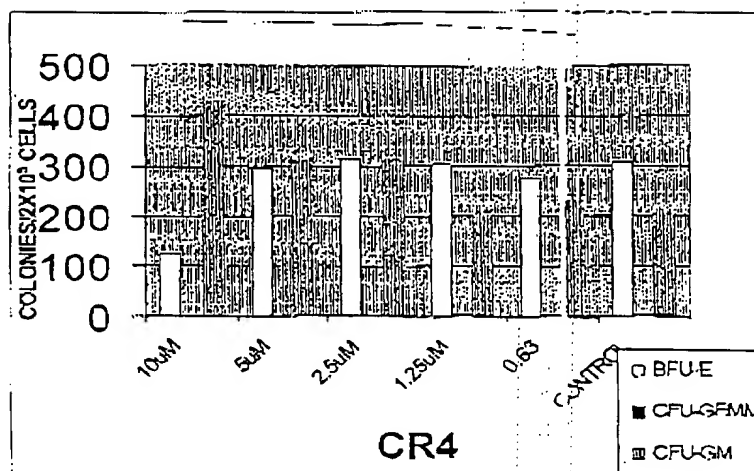
Madeline I. Johnston  
Registration No. 36,174

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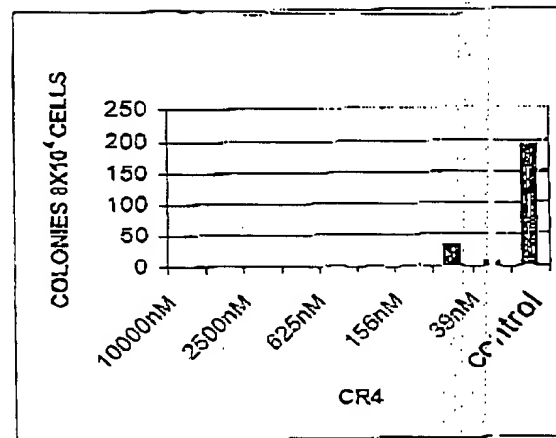
FIGURE 1



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FIGURE 2

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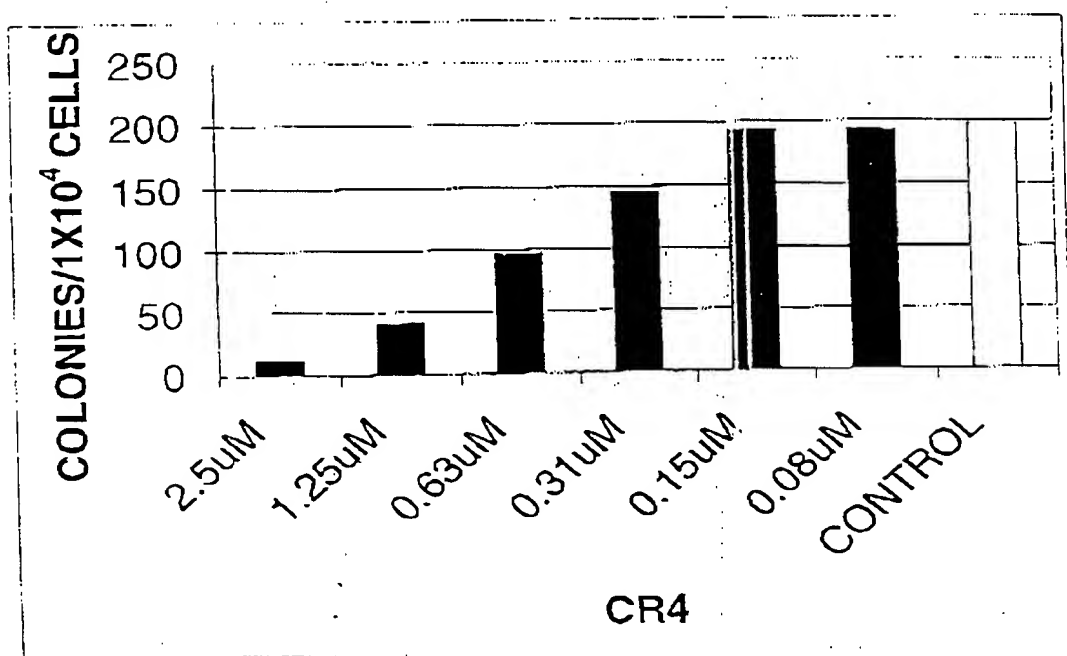




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FIGURE 3



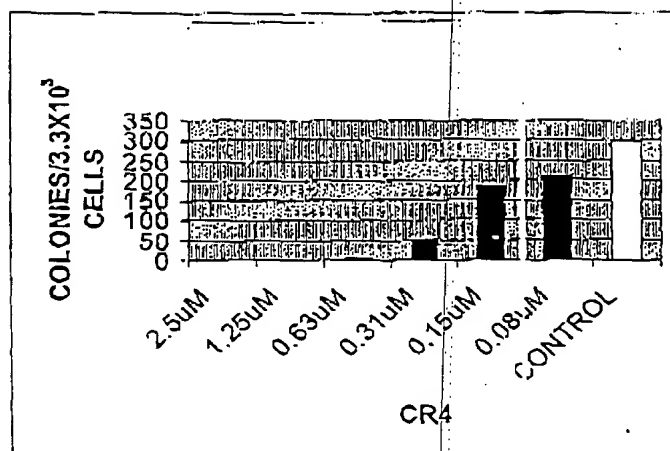
ntor: Chaim Mendel ROIFMAN, et al.  
lication No.: 09/834,728  
Docket No.: 509942000100

Sheet 4 of 25

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FIGURE 4

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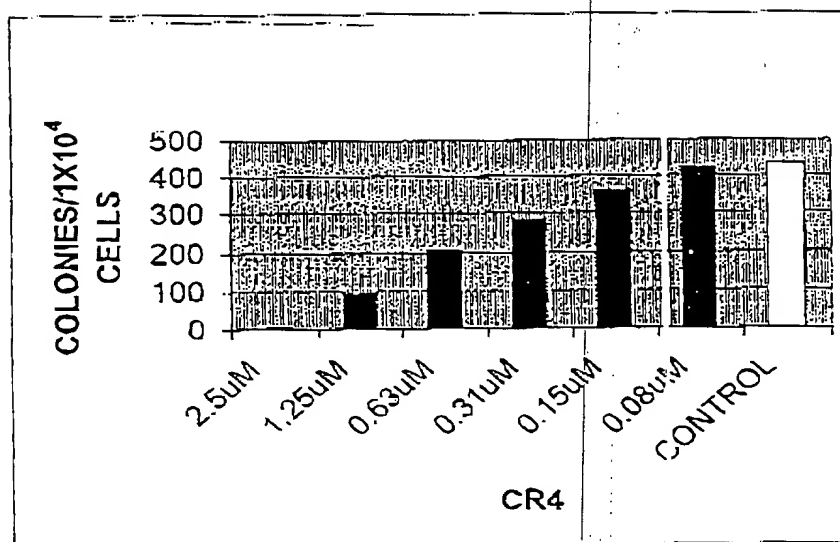
Inventor: Shaim Mendel ROIFMAN, et al.  
Applicant No.: 09/834,728  
Docket No.: 509942000100

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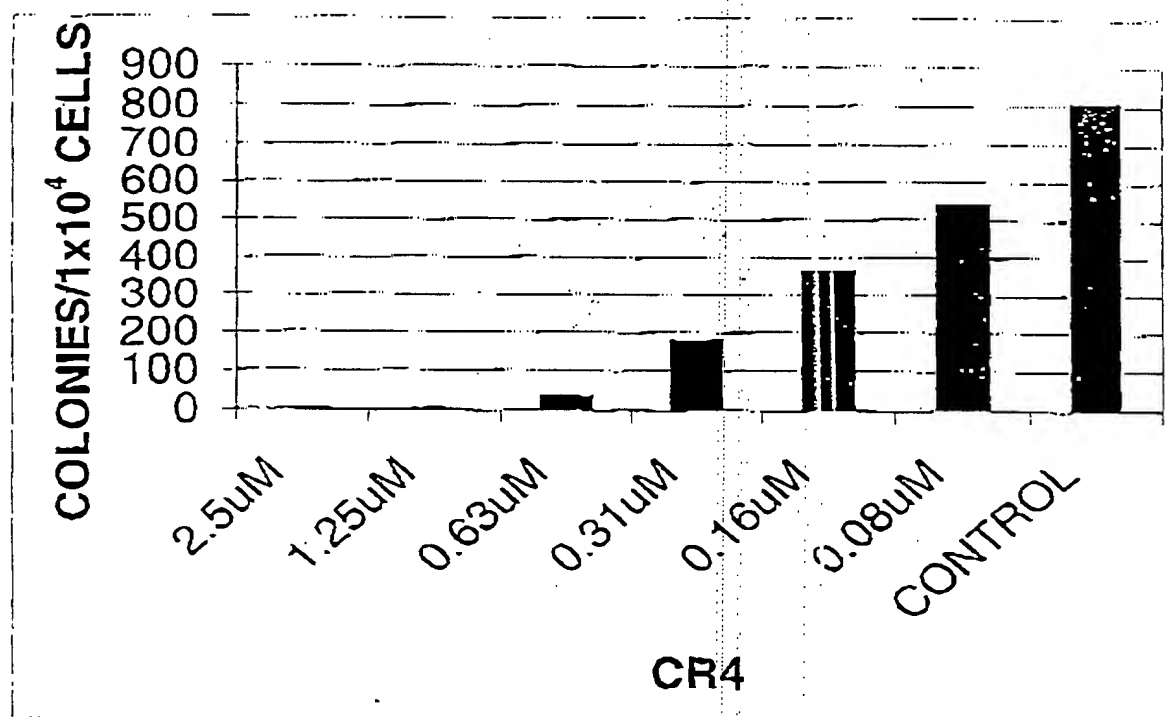
FIGURE 5



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FIGURE 6

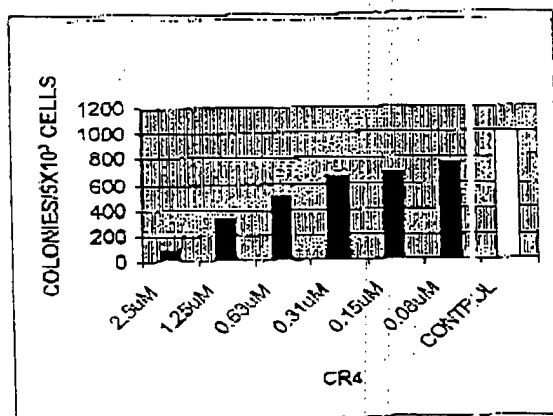
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FIGURE 7

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Investigator: Chaim Mendel ROIFMAN, et al.

Application No.: 09/834,728

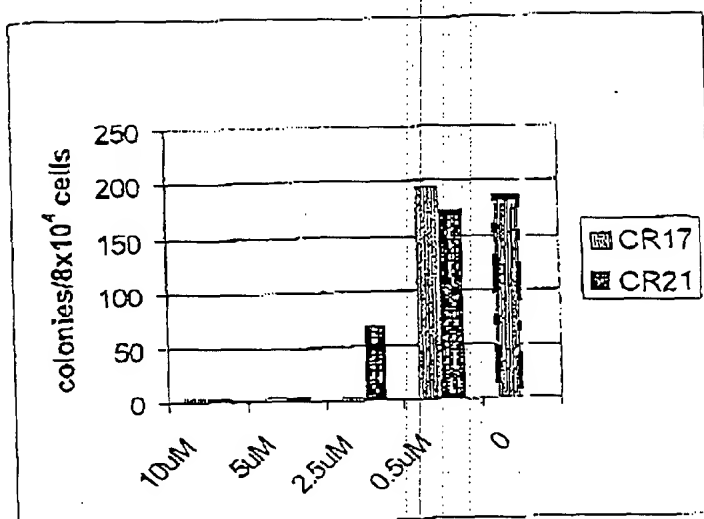
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FIGURE 8

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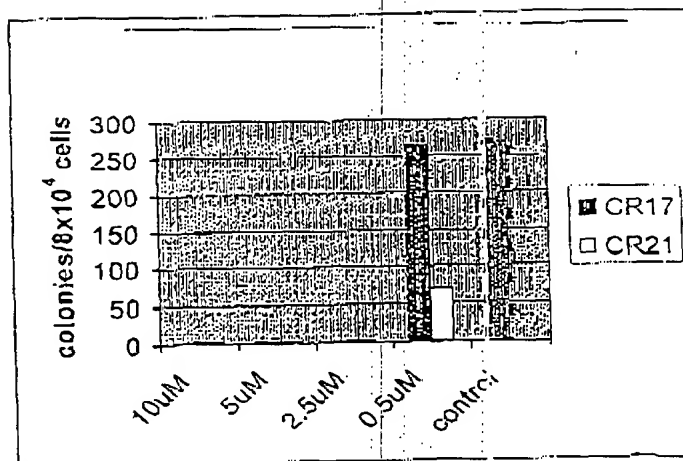
Inventor: Shaim Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 9



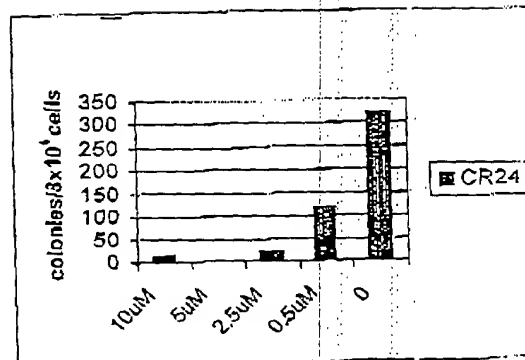
Investigator: Chaim Mendel ROIFMAN, et al.  
Assignment No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 10

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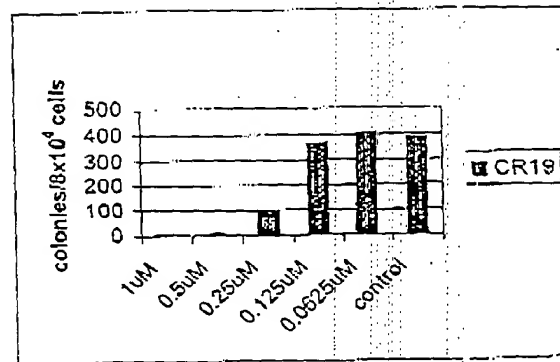
Inventor: Chaim Mendel KOLMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 11



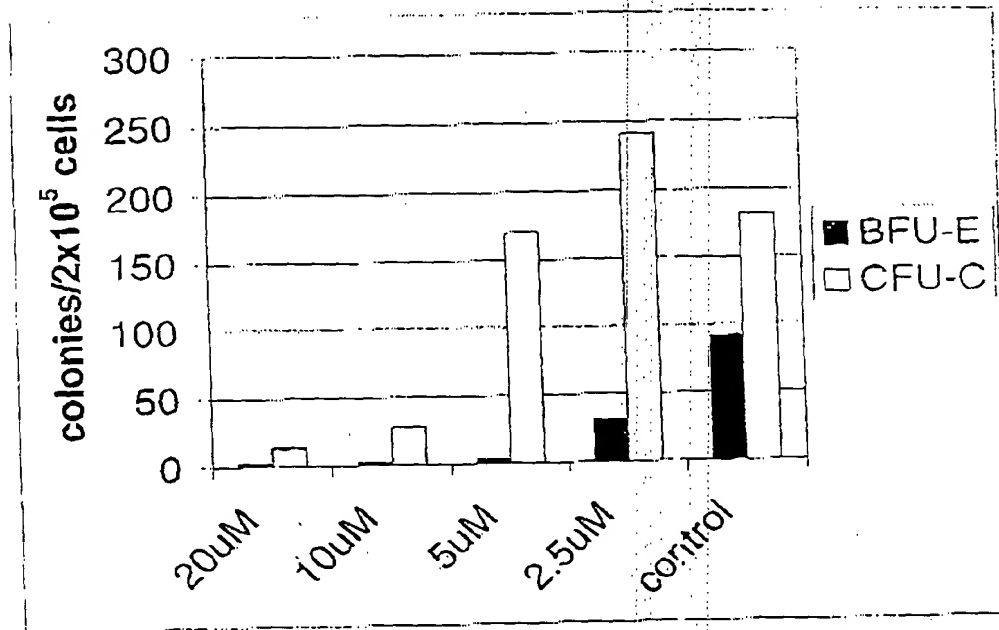
Inventor: Shaim Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 12

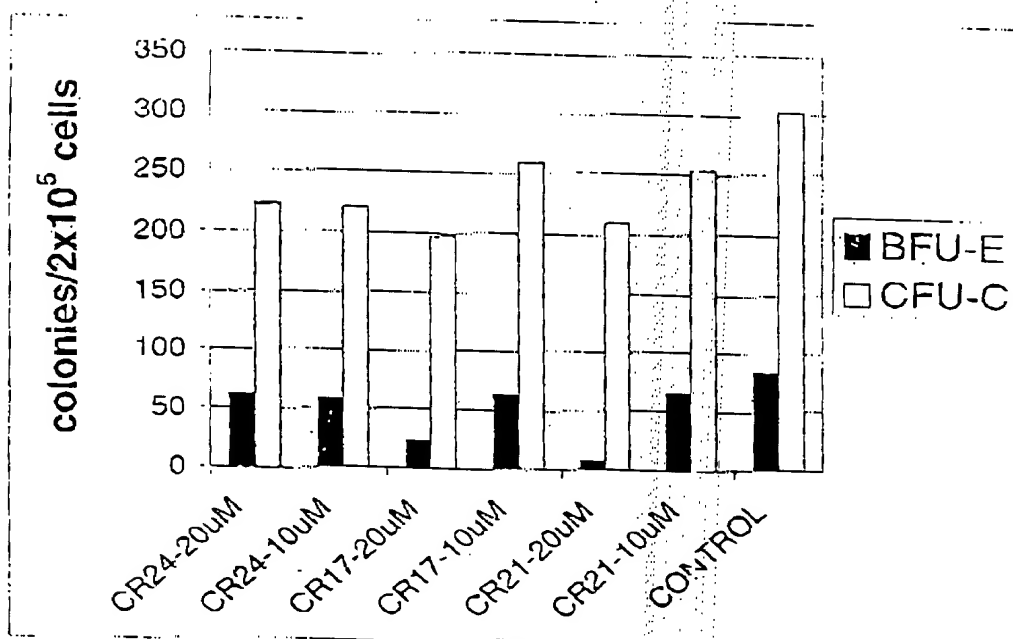
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FIGURE 13



Inventor: Chaim Mendel ROIFMAN, et al.

Application No.: 09/834,728

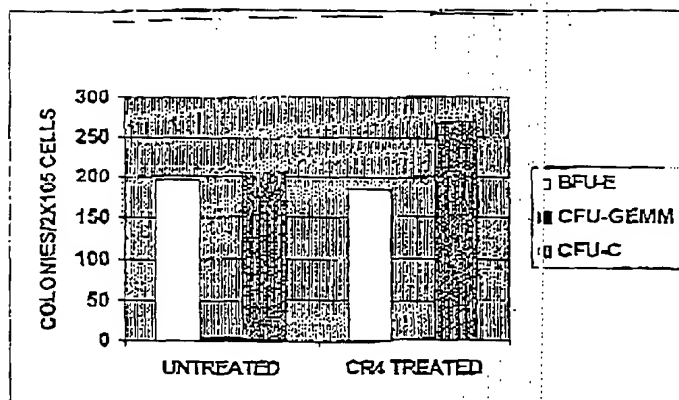
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FIGURE 14

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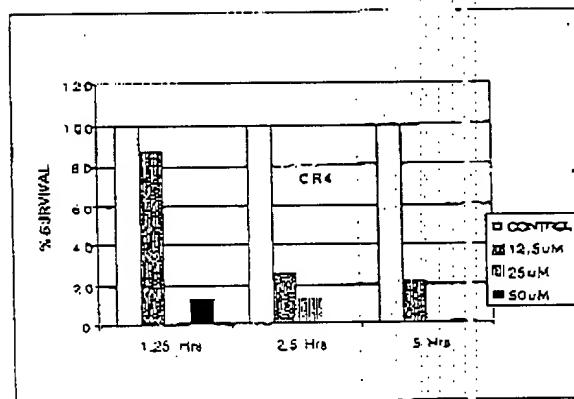
Inventor: Chaim Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 15



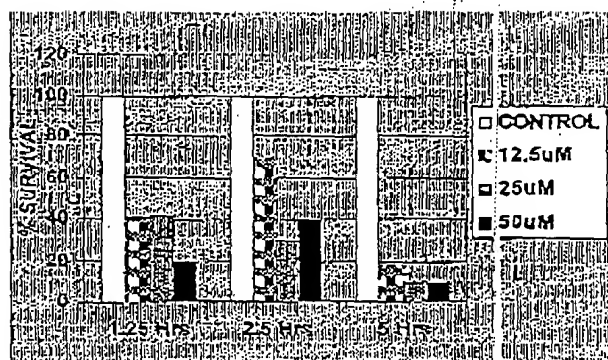
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Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 16

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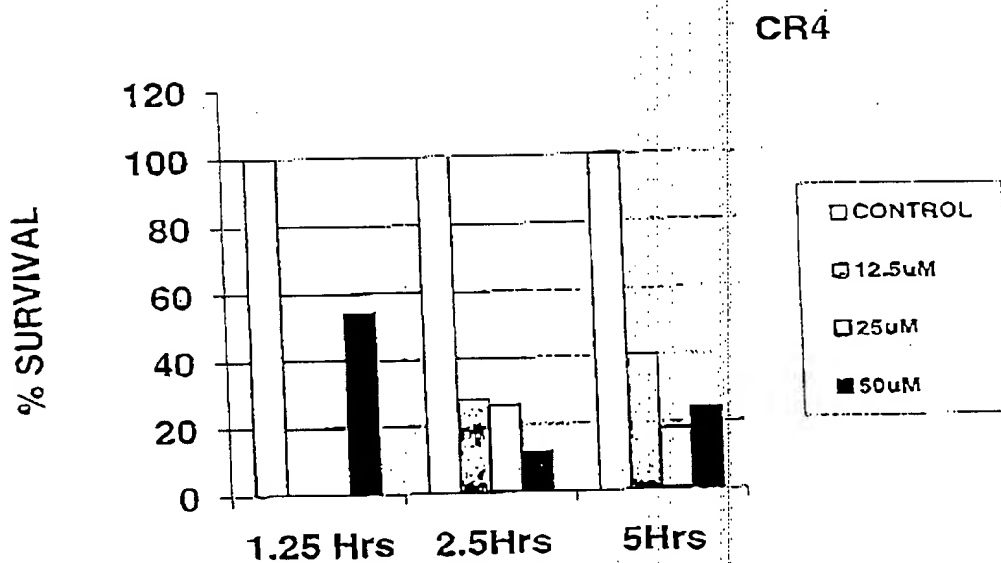
PROSECUTION  
 Inv: Chaim Mendel ROIFMAN, et al.  
 Application No.: 09/834,728  
 Docket No.: 509942000100

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FIGURE 17

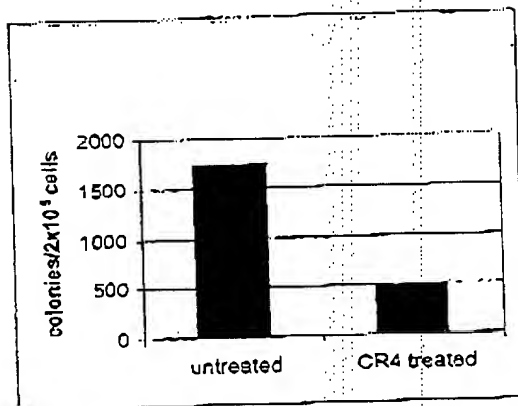
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FIGURE 18

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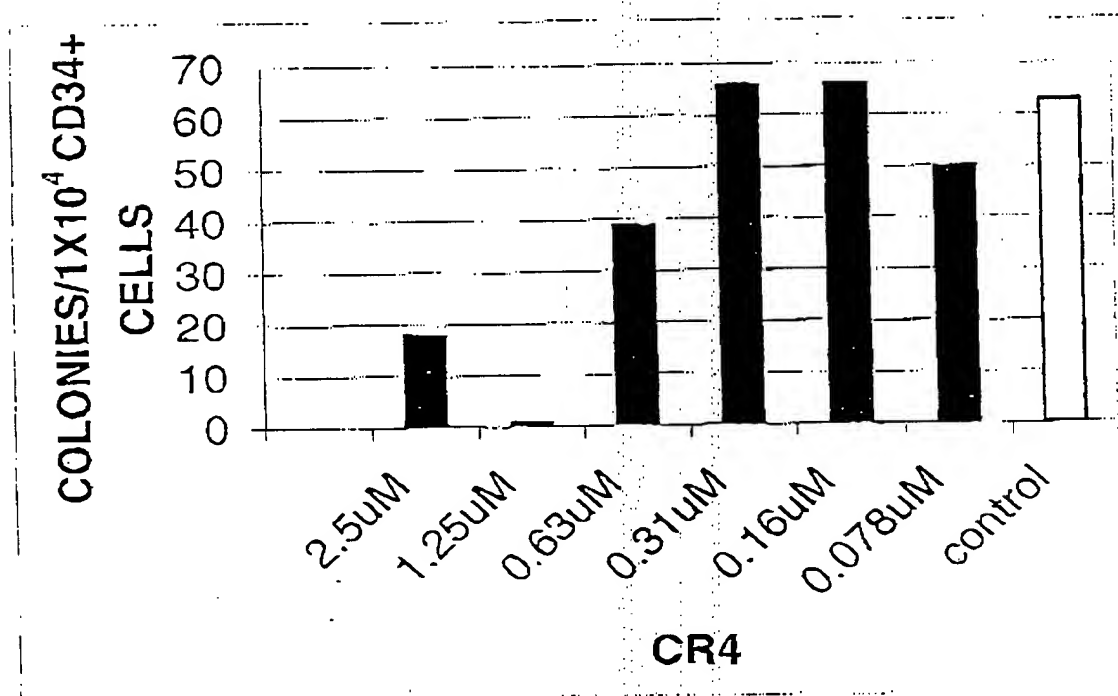
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Application No.: 09/834,728  
Docket No.: 509942000100

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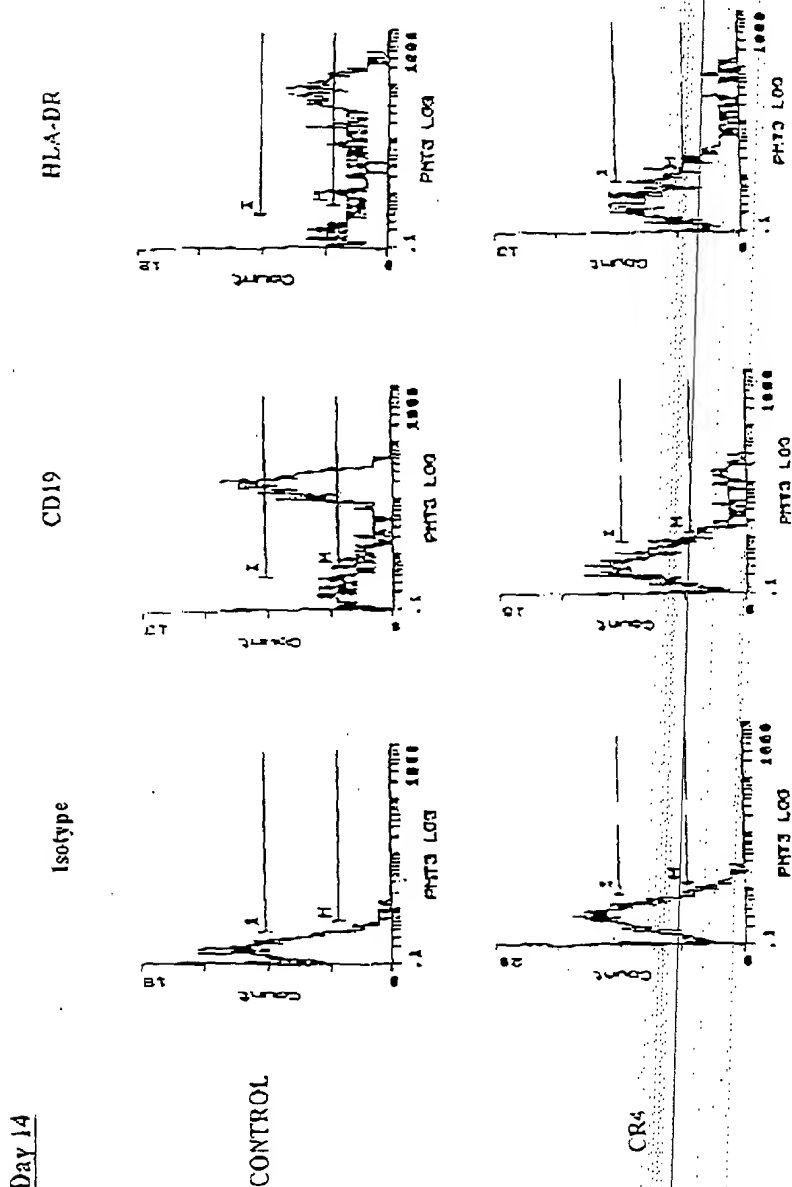
FIGURE 19



20/25

FIGURE 20A

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Treatment:	CR4	CR4
ALL Colony Number	9	9
	97	97

Clonogenic assay.

21/25

FIGURE 20B

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B. DAY 21.

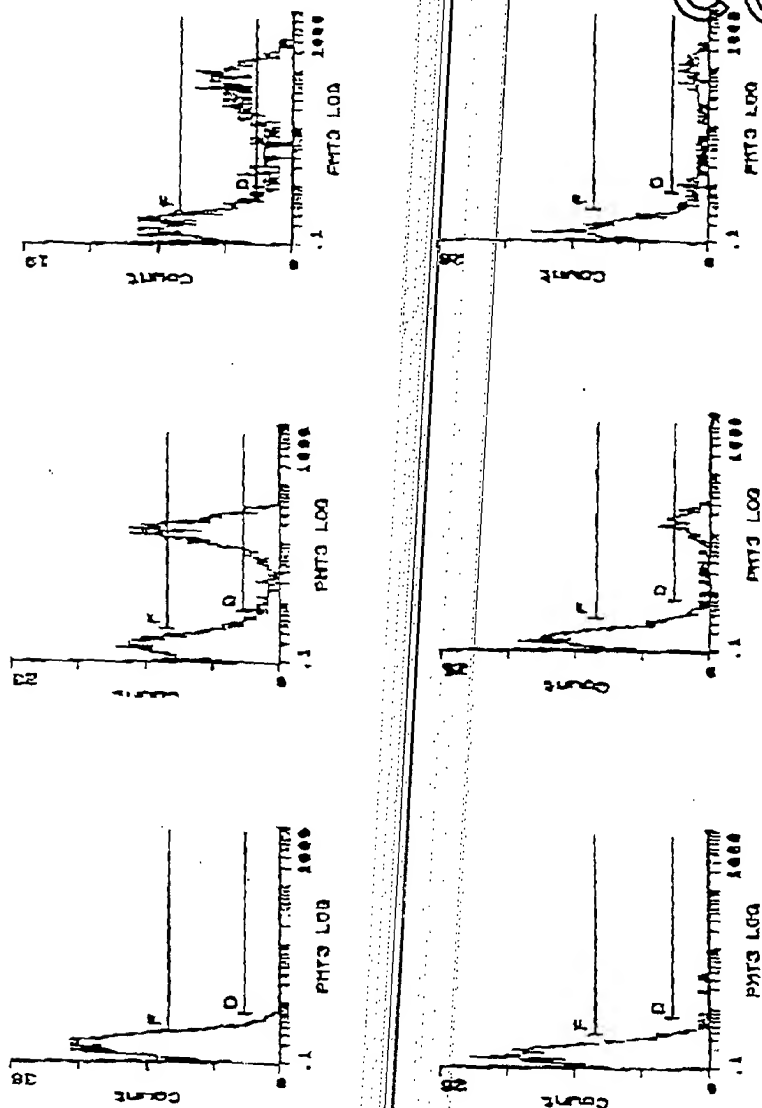
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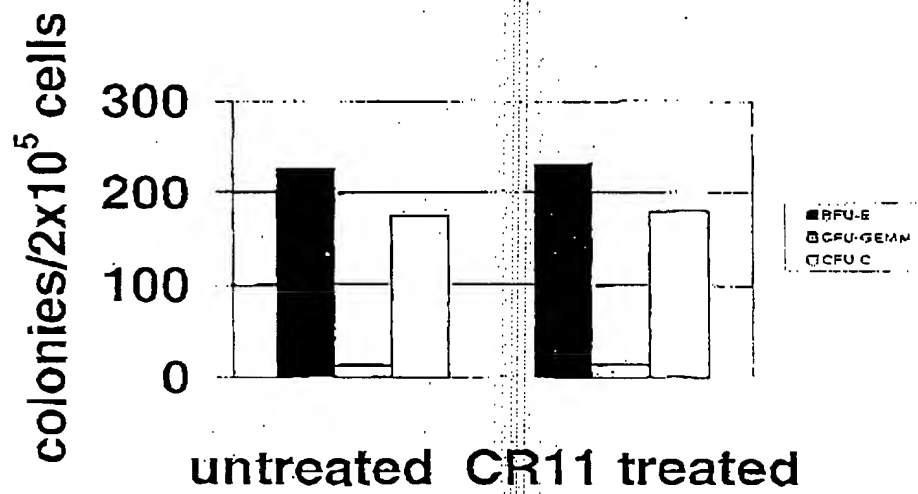
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FIGURE 21



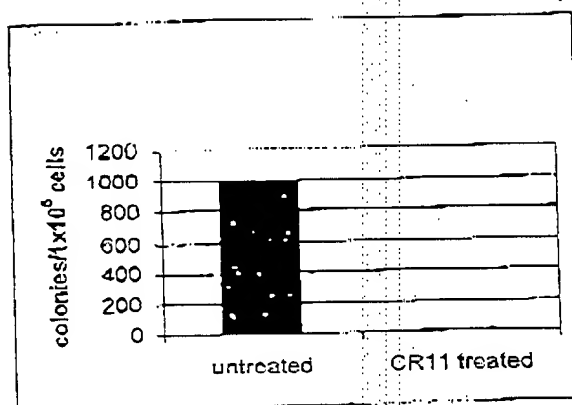
Inventor: [REDACTED] Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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23/25

FIGURE 22

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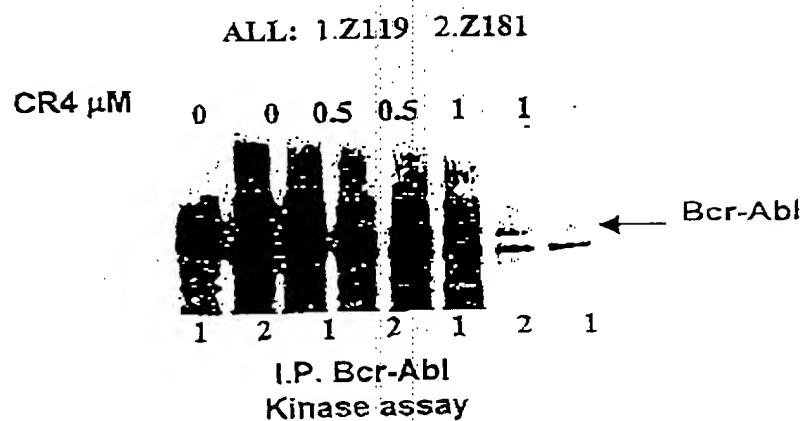
Inventor: Chaim Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

Sheet 24 of 25

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FIGURE 23

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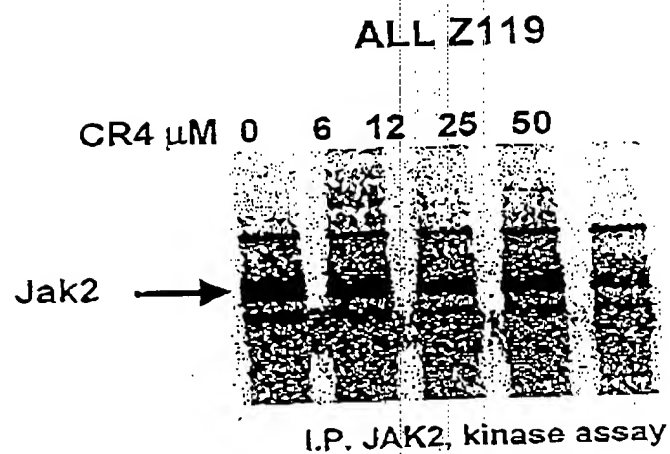
Inventor: Chaim Mendel ROIFMAN, et al.  
Application No.: 09/834,728  
Docket No.: 509942000100

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FIGURE 24



Attorney Docket: 509942000100

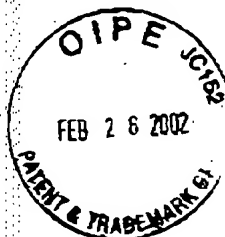
Date: February 26, 2002

Inventor(s): Chain Mendel ROIFMAN, et al. USSN: 09/834,728

Filing Date: April 12, 2001

Title: NOVEL COMPOUNDS FOR MODULATING CELL PROLIFERATION

1. Transmittal Form (1 Page)
2. Fee Transmittal + duplicate for billing (2 Pages)
3. Petition for Revival of Application (3 Pages)
4. Substitute Drawings (25 Sheets)
5. Copy of Notice of Incomplete Reply (1 Page)
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